

REMARKS

Claims 1-24 are pending. The Office Action dated February 9, 2009, in this Application has been carefully considered. The above amendments and the following remarks are presented in a sincere attempt to place this Application in condition for allowance. Claims 1, 4-7, 11-13, 17-19, and 23-24 have been amended in this Response. Claims 25-29 have been added in this Response. Reconsideration and allowance are respectfully requested in light of the above amendments and following remarks.

Claims 4, 6, 11, 12, 17, 18, 23, and 24 have been amended to correct typographical errors. Specifically, Claim 4 has been amended to recite “a Computer Aided Design (CAD) drawing” instead of “a Computer Aided Design (CAD) drawings.” Claims 6, 11, 12, 17, 18, and 23 have been amended to recite “rendering the CAD drawings” instead of “rendering the CAD drawing.” Claim 24 has been amended to recite “render the CAD drawings” instead of “rendering the CAD drawing.” Applicants contend that the rationale underlying this amendment bears no more than a tangential relation to any rejection in question or the scope of Claims 4, 6, 12, 17, 18, and 24, because the amendment corrects clearly typographical errors that do not affect the intended meaning of Claims 4, 6, 12, 17, 18, and 24. Accordingly, Applicants do not intend to surrender any equivalents encompassed by Claims 4, 6, 11, 12, 17, 18, and 24 as a result of this amendment.

Claim 1 stands rejected under 35 U.S.C. §102(e) as being unpatentable over U.S. Publication No. 2005/0212797 to Lee et al. (“Lee”). In light of the amendments submitted herewith, Applicant respectfully submits that the rejections have been overcome. Accordingly, Applicants respectfully request that the rejections be withdrawn.

Rejected independent Claim 1 as now amended more particularly recites one of the distinguishing characteristics of the present invention. Claim 1 has been amended as follows:

A method for designing custom, primarily decorative stonework, comprising:

selecting at least one unit of a plurality of units, wherein each unit of the plurality of units at least corresponds to an architecture[[al]] feature, and wherein the at least one unit comprises;

a plurality of parts;

at least one parametric equation defining at least one physical dimension of the plurality of parts and at least one arrangement of the plurality of parts, wherein:

the at least one physical dimension comprises at least one measurement of the architecture feature;

the at least one physical dimension determines a relative size of at least two parts of the plurality of parts;

the at least one arrangement determines a relative position of at least two parts of the plurality of parts; and

the at least one physical dimension and the at least one arrangement determine the physical construction of the architecture feature; and

at least one control dimension comprising at least one measurement of the architecture feature, the at least one control dimension comprising an input of the at least one parametric equation;

selecting at least a primary view of the unit, wherein the primary view depicts an overall view of the at least one [[unit]]arrangement of the plurality of the parts;

selecting at least one profile of a plurality of profiles, wherein each profile of [[a]]the plurality of profiles corresponds to at least a cross-sectional view of the at least one [[unit]]arrangement of the plurality of the parts;

inputting the at least one control dimension of a plurality of dimensions, wherein the at least one dimension corresponds to at least a physical dimension of the at least one unit;

parametrically calculating one or more other dimensions of the unit, using the at least one parametric equation, the at least one physical dimension of the plurality of parts and the at least one arrangement of the plurality of parts based upon the input of at least one dimension and unit size the at least one control dimension, and further at least determining relative sizes of the plurality of parts of the at least one unit based upon said input dimension; and

generating at least one scaled drawing, wherein the scaled drawing at least has numbers-identifiers that correspond[[s]] to at least one dimension the at least one physical dimension of the plurality of parts of the at least one unit and the at least one arrangement of the plurality of parts of the at least one unit.

Support for this Amendment can be found, among other places, at paragraphs [0013], [0052], [0056], and [0064] of the Application as originally filed. Lee does not disclose the limitations of Claim 1.

First, Lee does not disclose the limitation of “wherein each unit of the plurality of units at least corresponds to an architecture feature.” The Office Action does not cite a specific paragraph

of Lee as disclosing this limitation. The Office Action cites paragraphs [0003] and [0004] of Lee as disclosing a plurality of units. The cited paragraphs [0003] and [0004] describe 3D and 2D models. However, Lee does not disclose a relationship between the 3D and 2D models and an architecture feature.

Second, Lee does not disclose the limitation of:

- at least one parametric equation defining at least one physical dimension of the plurality of parts and at least one arrangement of the plurality of parts, wherein:
 - the at least one physical dimension comprises at least one measurement of the architecture feature;
 - the at least one physical dimension determines a relative size of at least two parts of the plurality of parts;
 - the at least one arrangement determines a relative position of at least two parts of the plurality of parts; and
 - the at least one physical dimension and the at least one arrangement determine the physical construction of the architecture feature;

Lee discloses that “[a] parametric modeling system” may be used and “[i]n one embodiment, the underlying data structures behave parametrically.” Lee paragraphs [0043]-[0044]. Lee discloses that parametric behavior may be used for an annotation to move according to the vertex of an object and that a change in an underlying model may affect a dimension displayed in the drawing view area. Lee paragraph [0044]. This parametric behavior, however, is described in the context of a change to a model affecting the drawing view area. Lee paragraph [0044]. The drawing view area is a two-dimensional view of a three-dimensional model. Lee paragraphs [0037] and [0042]. Thus, Lee describes parametric behavior as a change to a model affecting a two-dimensional **view** of that model. Lee discloses a model may be changed. Lee paragraph [0044]. However, the parametric behavior is not the change to the **model**, but rather updating the two-dimensional **view** according to the changed model.

Parametric behavior affecting a two-dimensional view of a model would not define a physical dimension or an arrangement of a plurality of parts. In particular, Claim 1 now recites “the at least one physical dimension comprises at least one measurement of the architecture feature.” Affecting a two-dimensional view of a model according to a change to a model would not affect physical dimensions or measurements, because the physical dimensions or measurements would be defined by the model and the view would only change to reflect the model.

Third, because Lee does not disclose “at least one parametric equation defining at least one physical dimension of the plurality of parts and at least one arrangement of the plurality of parts” as discussed above, Lee does not disclose “at least one control dimension comprising at least one measurement of the architecture feature, the at least one control dimension comprising an input of the at least one parametric equation,” “inputting the at least one control dimension,” or “parametrically calculating, using the at least one parametric equation, the at least one physical dimension of the plurality of parts and the at least one arrangement of the plurality of parts based upon the input of the at least one control dimension.”

The Office Action cited paragraphs [0037], [0047], and [0050] of Lee as disclosing the prior limitation of “parametrically calculating one or more other dimensions of the unit based upon the input of at least one dimension and unit size.” The cited paragraphs relate to displaying a three-dimensional model in a two-dimensional drawing view area. If the Office Action asserts that a two-dimensional drawing view is “the input of at least one dimension,” Claim 1 has been amended to recite “the at least one control dimension comprising an input of the at least one parametric equation,” “at least one parametric equation defining at least one physical dimension of the plurality of parts,” and “the at least one physical dimension comprises at least one measurement of the architecture feature.” A two-dimensional drawing view would not comprise an input of a

parametric equation defining a physical dimension comprising a measurement of an architecture feature.

Lee discloses “scaling” of a model. Lee paragraphs [0078], [0086]. However, Lee does not disclose that the scaling includes “parametrically calculating, using the at least one parametric equation, the at least one physical dimension of the plurality of parts and the at least one arrangement of the plurality of parts based upon the input of the at least one control dimension.” Lee paragraph [0078] refers to “scaling,” but if a model were simply scaled the relative sizes of parts of the model would remain the same, rather than being dependent on at least one physical dimension parametrically calculated based on the input of a control dimension. Lee paragraph [0086] refers to a “DetailView object” which “defines an area in a model and a scaling transformation to enlarge an area in the model.” However, a DetailView object is a class of drawing view. Lee paragraphs [0080], [0083]; Lee Figure 11. A drawing view is a view of the model. Lee paragraph [0077]. A drawing view would therefore not affect the model itself. Thus, a drawing view would not be used to parametrically calculate a physical dimension of a plurality of parts or an arrangement of a plurality of parts.

In view of the foregoing, it is apparent that the cited reference does not teach the unique combination now recited in amended Claim 1. Applicant therefore submits that amended Claim 1 is clearly and precisely distinguishable over the cited reference in a patentable sense, and is therefore allowable over this reference and the remaining references of record. Accordingly, Applicant respectfully requests that the rejection of amended Claim 1 under 35 U.S.C. § 102(c) be withdrawn and that Claim 1 be allowed.

Claims 2-5 stand rejected under 35 U.S.C. § 102(e) as being unpatentable over Lee. However, Claims 2-5 depend from and further limit Claim 1. Hence, for at least the aforementioned

reasons that Claim 1 should be deemed to be in condition for allowance, Claims 2-5 should be deemed to be in condition for allowance. Applicants respectfully request that the rejections of dependent Claims 2-5 also be withdrawn.

Claim 6 stands rejected under 35 U.S.C. §102(e) as being unpatentable over Lee. In light of the amendments submitted herewith, Applicant respectfully submits that the rejections have been overcome. Accordingly, Applicants respectfully request that the rejections be withdrawn. Claim 6 has been amended similarly to Claim 1. Hence, for at least the aforementioned reasons that Claim 1 should be deemed in condition for allowance, Claim 6 should be deemed in condition for allowance. The above remarks discussing why Claim 1 should be deemed in condition for allowance are incorporated herein by reference. Accordingly, Applicant respectfully requests that the rejection of amended Claim 6 under 35 U.S.C. § 102(e) be withdrawn and that Claim 6 be allowed.

Claim 7 stands rejected under 35 U.S.C. §102(e) as being unpatentable over Lee. In light of the amendments submitted herewith, Applicant respectfully submits that the rejections have been overcome. Accordingly, Applicants respectfully request that the rejections be withdrawn. Claim 7 has been amended similarly to Claim 1. Hence, for at least the aforementioned reasons that Claim 1 should be deemed in condition for allowance, Claim 7 should be deemed in condition for allowance. The above remarks discussing why Claim 1 should be deemed in condition for allowance are incorporated herein by reference. Accordingly, Applicant respectfully requests that the rejection of amended Claim 7 under 35 U.S.C. § 102(e) be withdrawn and that Claim 7 be allowed.

Claims 8-10 stand rejected under 35 U.S.C. § 102(c) as being unpatentable over Lee. However, Claims 8-10 depend from and further limit Claim 7. Hence, for at least the aforementioned reasons that Claim 7 should be deemed to be in condition for allowance, Claims 8-

10 should be deemed to be in condition for allowance. Applicants respectfully request that the rejections of dependent Claims 8-10 also be withdrawn.

Claim 11 stands rejected under 35 U.S.C. §102(e) as being unpatentable over Lee. In light of the amendments submitted herewith, Applicant respectfully submits that the rejections have been overcome. Accordingly, Applicants respectfully request that the rejections be withdrawn. Claim 11 has been amended similarly to Claim 1. Hence, for at least the aforementioned reasons that Claim 1 should be deemed in condition for allowance, Claim 11 should be deemed in condition for allowance. The above remarks discussing why Claim 1 should be deemed in condition for allowance are incorporated herein by reference. Accordingly, Applicant respectfully requests that the rejection of amended Claim 11 under 35 U.S.C. § 102(e) be withdrawn and that Claim 11 be allowed.

Claim 12 stands rejected under 35 U.S.C. §102(e) as being unpatentable over Lee. In light of the amendments submitted herewith, Applicant respectfully submits that the rejections have been overcome. Accordingly, Applicants respectfully request that the rejections be withdrawn. Claim 12 has been amended similarly to Claim 1. Hence, for at least the aforementioned reasons that Claim 1 should be deemed in condition for allowance, Claim 12 should be deemed in condition for allowance. The above remarks discussing why Claim 1 should be deemed in condition for allowance are incorporated herein by reference. Accordingly, Applicant respectfully requests that the rejection of amended Claim 12 under 35 U.S.C. § 102(e) be withdrawn and that Claim 12 be allowed.

Claim 13 stands rejected under 35 U.S.C. §102(e) as being unpatentable over Lee. In light of the amendments submitted herewith, Applicant respectfully submits that the rejections have been overcome. Accordingly, Applicants respectfully request that the rejections be withdrawn. Claim 13

has been amended similarly to Claim 1. Hence, for at least the aforementioned reasons that Claim 1 should be deemed in condition for allowance, Claim 13 should be deemed in condition for allowance. The above remarks discussing why Claim 1 should be deemed in condition for allowance are incorporated herein by reference. Accordingly, Applicant respectfully requests that the rejection of amended Claim 13 under 35 U.S.C. § 102(e) be withdrawn and that Claim 13 be allowed.

Claims 14-16 stand rejected under 35 U.S.C. § 102(e) as being unpatentable over Lee. However, Claims 14-16 depend from and further limit Claim 13. Hence, for at least the aforementioned reasons that Claim 13 should be deemed to be in condition for allowance, Claims 14-16 should be deemed to be in condition for allowance. Applicants respectfully request that the rejections of dependent Claims 14-16 also be withdrawn.

Claim 17 stands rejected under 35 U.S.C. §102(e) as being unpatentable over Lee. In light of the amendments submitted herewith, Applicant respectfully submits that the rejections have been overcome. Accordingly, Applicants respectfully request that the rejections be withdrawn. Claim 17 has been amended similarly to Claim 1. Hence, for at least the aforementioned reasons that Claim 1 should be deemed in condition for allowance, Claim 17 should be deemed in condition for allowance. The above remarks discussing why Claim 1 should be deemed in condition for allowance are incorporated herein by reference. Accordingly, Applicant respectfully requests that the rejection of amended Claim 17 under 35 U.S.C. § 102(e) be withdrawn and that Claim 17 be allowed.

Claim 18 stands rejected under 35 U.S.C. §102(e) as being unpatentable over Lee. In light of the amendments submitted herewith, Applicant respectfully submits that the rejections have been overcome. Accordingly, Applicants respectfully request that the rejections be withdrawn. Claim 18

has been amended similarly to Claim 1. Hence, for at least the aforementioned reasons that Claim 1 should be deemed in condition for allowance, Claim 18 should be deemed in condition for allowance. The above remarks discussing why Claim 1 should be deemed in condition for allowance are incorporated herein by reference. Accordingly, Applicant respectfully requests that the rejection of amended Claim 18 under 35 U.S.C. § 102(e) be withdrawn and that Claim 18 be allowed.

Claim 19 stands rejected under 35 U.S.C. §102(e) as being unpatentable over Lee. In light of the amendments submitted herewith, Applicant respectfully submits that the rejections have been overcome. Accordingly, Applicants respectfully request that the rejections be withdrawn. Claim 19 has been amended similarly to Claim 1. Hence, for at least the aforementioned reasons that Claim 1 should be deemed in condition for allowance, Claim 19 should be deemed in condition for allowance. The above remarks discussing why Claim 1 should be deemed in condition for allowance are incorporated herein by reference. Accordingly, Applicant respectfully requests that the rejection of amended Claim 19 under 35 U.S.C. § 102(e) be withdrawn and that Claim 19 be allowed.

Claims 20-22 stand rejected under 35 U.S.C. § 102(e) as being unpatentable over Lee. However, Claims 20-22 depend from and further limit Claim 19. Hence, for at least the aforementioned reasons that Claim 19 should be deemed to be in condition for allowance, Claims 20-22 should be deemed to be in condition for allowance. Applicants respectfully request that the rejections of dependent Claims 20-22 also be withdrawn.

Claim 23 stands rejected under 35 U.S.C. §102(e) as being unpatentable over Lee. In light of the amendments submitted herewith, Applicant respectfully submits that the rejections have been overcome. Accordingly, Applicants respectfully request that the rejections be withdrawn. Claim 23

has been amended similarly to Claim 1. Hence, for at least the aforementioned reasons that Claim 1 should be deemed in condition for allowance, Claim 23 should be deemed in condition for allowance. The above remarks discussing why Claim 1 should be deemed in condition for allowance are incorporated herein by reference. Accordingly, Applicant respectfully requests that the rejection of amended Claim 23 under 35 U.S.C. § 102(e) be withdrawn and that Claim 23 be allowed.

Claim 24 stands rejected under 35 U.S.C. §102(e) as being unpatentable over Lee. In light of the amendments submitted herewith, Applicant respectfully submits that the rejections have been overcome. Accordingly, Applicants respectfully request that the rejections be withdrawn. Claim 24 has been amended similarly to Claim 1. Hence, for at least the aforementioned reasons that Claim 1 should be deemed in condition for allowance, Claim 24 should be deemed in condition for allowance. The above remarks discussing why Claim 1 should be deemed in condition for allowance are incorporated herein by reference. Accordingly, Applicant respectfully requests that the rejection of amended Claim 24 under 35 U.S.C. § 102(e) be withdrawn and that Claim 24 be allowed.

Claims 25-29 has been added in this Response. Support for Claims 25-29 can be found, among other places, at paragraph [0064] of the Application as originally filed. Claims 25-29 respectively depend from and further limit Claims 1, 7, 13, and 19. Hence, for at least the aforementioned reasons that Claims 1, 7, 13, and 19 should be deemed to be in condition for allowance, Claims 25-29 should be deemed to be in condition for allowance. Applicants respectfully request that Claim 25-29 be allowed.

Applicant has now made an earnest attempt to place this Application in condition for allowance. For the foregoing reasons and for other reasons clearly apparent, Applicant respectfully requests full allowance of Claims 1-29.

Regarding new Claims 25-29, Applicant hereby authorizes the Director to charge the fee required under 37 C.F.R. §1.16(i), for four Claims in excess of 20, to Deposit Account No. 50-0605 of CARR LLP. Applicant does not believe that any other fees are due; however, in the event that any other fees are due, the Director is hereby authorized to charge any required fees due (other than issue fees), and to credit any overpayment made, in connection with the filing of this paper to Deposit Account No. 50-0605 of CARR LLP.

Should the Examiner deem that any further amendment is desirable to place this application in condition for allowance, the Examiner is invited to telephone the undersigned at the number listed below.

Respectfully submitted,

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